

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

RODRIGUEZ, Maria Guadalupe YOB: 19993 *USC* *MEX*

United States District Court
Southern District of Texas
FILED

OCT 10 2015

CRIMINAL COMPLAINT

CASE NUMBER:

*M-15-1789-M***Clerk of Court**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 10/9/2015 in Hidalgo county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally possess with Intent to Distribute 257.5 kilograms or more of Marijuana, a Schedule I Controlled Substance.

Knowingly and Intentionally Conspire to possess with Intent to Distribute 257.5 kilograms or more of Marijuana, a Schedule I Controlled Substance

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: Yes No

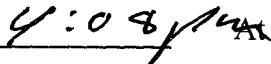


Signature of Complainant
Carlos Mireles, DEA Task Force Officer

Sworn to before me and subscribed in my presence,

October 10, 2015

Date



McAllen, Texas

City and State

Peter E. Ormsby, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer



ATTACHMENT

On October 09, 2015, Rio Grande City Border Patrol Agents assigned to Rio Grande United States Border Patrol Station were conducting roving patrol in La Grulla, Texas. While driving south towards the Rio Grande River on a caliche road United States Border Patrol Agents (USBP) Border Patrol Agent J. Torres, and DPS A. Lopez, noticed a maroon vehicle driving north towards their location. Before passing each other on the caliche road, the vehicle suddenly accelerated then abruptly came to a stop stopped. USBP Agent Torres conducted an immigration inspection on the vehicle. Once the engine was turned off, USBP Agent Torres approached the vehicle; the female subject lowered the window and USBP Agents Torres immediately observed multiple bundles of what appeared to be narcotics right behind the driver's seat. The subject was later identified as Maria Guadalupe RODRIGUEZ who was placed under arrest by USBP Agents. USBP Agents removed fifty bundles of marijuana from the maroon Dodge and transported both RODRIGUEZ and the narcotics to the Rio Grande Border Patrol Station. Once at the Rio Grande City Border Patrol Station USBP Agents weighed and tested the contents of the fifty bundles using the 909 Duquenois-Levine Reagent Kit. The results were positive for the characteristics of marijuana and weighted approximately 257.5 kilograms. Shortly thereafter USBP Agent Torres read RODRIGUEZ her Miranda Rights at 2:30pm. DPS A. Lopez witnessed the reading of RODRIGUEZ's rights. Rodriguez stated that she understood her rights and had nothing to say. Upon obtaining RODRIGUEZ's biographical information at the Border Patrol station, RODRIGUEZ freely admitted to USBP Agents she had transported marijuana on two prior occasions. One was a successful "trip" while on another "trip"; she was arrested in Sullivan City, Texas. Rodriguez stated that this was recent and that she was out on bond, and made no other comments.

USBP Agents contacted TFO Carlos Mireles and advised him of the facts. TFO's Ismael Rivas, Cosme Muniz, Ed Hernandez and Joey Aguilar responded to the Rio Grande Border Patrol Station to interview RODRIGUEZ. At approximately 8:51 PM, TFO Hernandez read RODRIGUEZ her Miranda Warnings in her preferred language of English and she agreed she understood and agreed to speak with agents. RODRIGUEZ advise TFO Hernandez that she traveled to the residence of Mariela LNU and Kiko LNU in La Victoria, Texas, where she was asked by Mariela LNU and Kiko LNU to pick up a load of marijuana near the Rio Grande River on the United States side of the river and RODRIGUEZ and she disagreed. Mariel LNU and Kiko LNU advised RODRIGUEZ that they bailed her out the last time she was arrested and advised RODRIGUEZ the she would work for free this time and RODRIGUEZ disagreed again. Mariel LNU and Kiko LNU advised RODRIGUEZ that if she did not go and pick up the marijuana they were going to pick up her kids (Rodriguez believes pick up means to kidnap her kids). RODRIGUEZ further stated she was being held at against her will by four (4) unknown males at Mariel LNU and Kiko LNU apartment. RODRIGUEZ stated at this point she agreed to pick up the marijuana from the river. Shortly thereafter RODRIGUEZ stated she Kiko LNU provided her the maroon Dodge and she drove to the Rio Grande River where she meet with four (4) new unknown males who drove the Dodge to the pickup location. RODRIGUEZ stated one of the unknown males held her down into the seat and would not let her up. Once at the river the marijuana was loaded into the Dodge by some other unknown males who were at the river bank standing by. RODRIGUEZ stated she left the males at the river and drove away from the river where she came in contact with USBP Agents and arrested. RODRIGUEZ would later recant her story and stated her willing drove to the river to pick up the marijuana and was told to tell that story if she was arrested by law enforcement by FNU LNU aka "RATA" to get Kiko LNU in trouble with law enforcement. Shortly thereafter the interview was terminated and TFO Ishmael Rivas contacted the AUSA and advised him of the facts and the case was accepted the case for Federal prosecution.